

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. BONILLA, announced that the yeas had it.

Mr. NUSSLE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

It was decided in the negative Yeas 148
Nays 279
Answered present 1

185.7

[Roll No. 300]

YEAS—148

Abercrombie	Gordon	Ney
Allen	Green	Norwood
Andrews	Greenwood	Paxon
Baessler	Gutknecht	Pease
Ballenger	Hall (TX)	Peterson (MN)
Barcia	Hamilton	Pickett
Barrett (WI)	Harman	Porter
Barton	Hefner	Portman
Bass	Hill	Ramstad
Bentsen	Hilliard	Regula
Bilirakis	Hinojosa	Riggs
Bishop	Holden	Roemer
Blumenauer	Hooley	Ros-Lehtinen
Boswell	Horn	Rush
Boyd	Houghton	Sanchez
Brady	Hunter	Sandlin
Brown (CA)	Inglis	Sanford
Brown (FL)	Jefferson	Schaefer, Dan
Camp	John	Schaffer, Bob
Campbell	Johnson (WI)	Scott
Canady	Kanjorski	Sherman
Carson	Kaptur	Shirkus
Castle	Kind (WI)	Sisisky
Chabot	Klecza	Skaggs
Chenoweth	Klug	Smith, Adam
Clement	Lampson	Smith, Linda
Clyburn	Lantos	Stabenow
Coburn	Largent	Stearns
Combust	LaTourette	Stenholm
Condit	Lazio	Stupak
Cramer	Leach	Talent
Danner	Luther	Tanner
Davis (FL)	Maloney (CT)	Tauscher
Deal	Maloney (NY)	Tauzin
DeFazio	Manton	Taylor (MS)
Deutsch	McCarthy (MO)	Taylor (NC)
Doggett	McCarthy (NY)	Thompson
Dooley	McCollum	Thurman
Doyle	McHale	Turner
Duncan	McIntosh	Upton
Edwards	McIntyre	Visclosky
Eshoo	McKinney	Wamp
Etheridge	Meehan	Weldon (PA)
Farr	Miller (CA)	Weller
Forbes	Minge	Wexler
Fox	Mink	Weygand
Furse	Moran (VA)	Woolsey
Ganske	Morella	Yates
Gilchrist	Murtha	
Goode	Neumann	

NAYS—279

Ackerman	Boehlert	Christensen
Aderholt	Boehner	Clay
Archer	Bonilla	Clayton
Armey	Bonior	Coble
Bachus	Bono	Collins
Baker	Borski	Conyers
Baldacci	Boucher	Cook
Barr	Brown (OH)	Cooksey
Barrett (NE)	Bryant	Costello
Bartlett	Bunning	Cox
Bateman	Burr	Coyne
Becerra	Burton	Crane
Bereuter	Buyer	Crapo
Berman	Callahan	Cubin
Berry	Calvert	Cummings
Bilbray	Cannon	Cunningham
Blagojevich	Capps	Davis (IL)
Bliley	Cardin	Davis (VA)
Blunt	Chambliss	DeGette

Delahunt	Kennelly	Price (NC)
DeLauro	Kildee	Pryce (OH)
DeLay	Kilpatrick	Quinn
Dellums	Kim	Radanovich
Diaz-Balart	King (NY)	Rahall
Dickey	Kingston	Rangel
Dicks	Klink	Redmond
Dingell	Knollenberg	Reyes
Dixon	Kolbe	Riley
Doolittle	Kucinich	Rivers
Dreier	LaFalce	Rodriguez
Dunn	LaHood	Rogan
Ehlers	Latham	Rogers
Ehrlich	Levin	Rohrabacher
Emerson	Lewis (CA)	Rothman
Engel	Lewis (GA)	Roukema
English	Lewis (KY)	Roybal-Allard
Evans	Linder	Royce
Everett	Lipinski	Ryun
Ewing	Livingston	Sabo
Fattah	LoBiondo	Salmon
Fawell	Lofgren	Sanders
Fazio	Lowey	Sawyer
Filner	Lucas	Saxton
Flake	Manzullo	Scarborough
Foglietta	Markley	Schumer
Foley	Martinez	Sensenbrenner
Ford	Mascara	Serrano
Fowler	Matsui	Sessions
Frank (MA)	McCrery	Shadegg
Franks (NJ)	McDade	Shaw
Frelinghuysen	McDermott	Shays
Frost	McGovern	Shuster
Gallegly	McHugh	Skeen
Gejdenson	McInnis	Skelton
Gekas	McKeon	Slaughter
Gephardt	McNulty	Smith (MI)
Gibbons	Meek	Smith (NJ)
Gillmor	Menendez	Smith (OR)
Gilman	Metcalfe	Smith (TX)
Goodlatte	Mica	Snowbarger
Goodling	Millender-Goss	Snyder
Goss	McDonald	Solomon
Graham	Miller (FL)	Souder
Granger	Moakley	Spence
Gutierrez	Molinari	Spratt
Hall (OH)	Mollohan	Stokes
Hansen	Moran (KS)	Strickland
Hastert	Myrick	Stump
Hastings (FL)	Nadler	Sununu
Hastings (WA)	Neal	Thomas
Hayworth	Nethercutt	Thornberry
Hefley	Northup	Thune
Herger	Nussle	Tiahrt
Hilleary	Oberstar	Tierney
Hinchey	Obey	Torres
Hobson	Olver	Towns
Hoekstra	Ortiz	Traficant
Hostettler	Owens	Velazquez
Hoyer	Oxley	Vento
Hulshof	Packard	Walsh
Hyde	Pappas	Waters
Istook	Parker	Watkins
Jackson (IL)	Pascarell	Watt (NC)
Jackson-Lee	Pastor	Watts (OK)
(TX)	Paul	Waxman
Jenkins	Payne	Weldon (FL)
Johnson (CT)	Pelosi	White
Johnson, E. B.	Peterson (PA)	Whitfield
Johnson, Sam	Petri	Wicker
Jones	Pickering	Wise
Kasich	Pitts	Wolf
Kelly	Pombo	Wynn
Kennedy (MA)	Pomeroy	Young (FL)
Kennedy (RI)	Poshard	

ANSWERED "PRESENT"—1

Ensign

NOT VOTING—6

Gonzalez	Pallone	Stark
Hutchinson	Schiff	Young (AK)

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BONILLA, announced that the yeas had it.

Mr. BARTON demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative Yeas 81
Nays 347

185.8

[Roll No. 301]

AYES—81

Andrews	Gekas	Morella
Ballenger	Goode	Neumann
Barcia	Goodling	Norwood
Barrett (WI)	Graham	Peterson (MN)
Barton	Gutknecht	Petri
Bass	Hall (TX)	Porter
Bliley	Hamilton	Ramstad
Blumenauer	Harman	Regula
Blunt	Hefner	Roemer
Boyd	Hoekstra	Rohrabacher
Brady	Horn	Royce
Campbell	Houghton	Sanchez
Castle	Inglis	Sanford
Chambliss	John	Schaffer, Bob
Coburn	Kind (WI)	Sensenbrenner
Combust	Kingston	Sisisky
Condit	Klug	Smith (TX)
Davis (FL)	Kolbe	Stenholm
DeFazio	Largent	Tanner
Deutsch	Livingston	Tauscher
Doggett	Luther	Tauzin
Dooley	McHale	Taylor (MS)
Doyle	McInnis	Taylor (NC)
Duncan	McIntyre	Turner
Ehlers	McKinney	Upton
Fawell	Meehan	Visclosky
Forbes	Minge	Wamp

NOES—347

Abercrombie	Cubin	Hastings (WA)
Ackerman	Cummings	Hayworth
Aderholt	Cunningham	Hefley
Allen	Danner	Herger
Archer	Davis (IL)	Hill
Armey	Davis (VA)	Hilleary
Bachus	Deal	Hilliard
Baessler	DeGette	Hinchey
Baker	Delahunt	Hinojosa
Baldacci	DeLauro	Hobson
Barr	DeLay	Holden
Barrett (NE)	Dellums	Hooley
Bartlett	Diaz-Balart	Hostettler
Bateman	Dickey	Hoyer
Becerra	Dicks	Hulshof
Bentsen	Dingell	Hunter
Bereuter	Dixon	Hyde
Berman	Doolittle	Istook
Berry	Dreier	Jackson (IL)
Bilbray	Dunn	Jackson-Lee
Bilirakis	Edwards	(TX)
Bishop	Ehrlich	Jefferson
Blagojevich	Emerson	Jenkins
Boehlert	Engel	Johnson (CT)
Boehner	English	Johnson (WI)
Bonilla	Ensign	Johnson, E. B.
Bonior	Eshoo	Johnson, Sam
Bono	Etheridge	Jones
Borski	Evans	Kanjorski
Boswell	Everett	Kaptur
Boucher	Ewing	Kasich
Brown (CA)	Farr	Kelly
Brown (FL)	Fattah	Kennedy (MA)
Brown (OH)	Fazio	Kennedy (RI)
Bryant	Filner	Kennelly
Bunning	Flake	Kildee
Burr	Foglietta	Kilpatrick
Burton	Foley	Kim
Buyer	Ford	King (NY)
Callahan	Fowler	Klecza
Calvert	Fox	Klink
Camp	Frank (MA)	Knollenberg
Canady	Franks (NJ)	Kucinich
Cannon	Frelinghuysen	LaFalce
Capps	Frost	LaHood
Cardin	Furse	Lampson
Carson	Gallegly	Lantos
Chabot	Ganske	Latham
Chenoweth	Gejdenson	LaTourette
Christensen	Gephardt	Lazio
Clay	Gibbons	Leach
Clayton	Gilchrist	Levin
Clement	Gillmor	Lewis (CA)
Clyburn	Gilman	Lewis (GA)
Coble	Goodlatte	Lewis (KY)
Collins	Gordon	Linder
Conyers	Goss	Lipinski
Cook	Granger	LoBiondo
Cooksey	Green	LoBiondo
Costello	Greenwood	Lofgren
Cox	Gutierrez	Lowey
Coyne	Hall (OH)	Lucas
Cramer	Hansen	Maloney (CT)
Crane	Hastert	Maloney (NY)
Crapo	Hastings (FL)	Manton
		Manzullo

Markey	Pelosi	Smith (NJ)
Martinez	Peterson (PA)	Smith (OR)
Mascara	Pickering	Smith, Adam
Matsui	Pickett	Smith, Linda
McCarthy (MO)	Pitts	Snowbarger
McCarthy (NY)	Pombo	Snyder
McCollum	Pomeroy	Solomon
McCrery	Portman	Souder
McDade	Poshard	Spence
McDermott	Price (NC)	Spratt
McGovern	Pryce (OH)	Stabenow
McHugh	Quinn	Stearns
McIntosh	Radanovich	Stokes
McKeon	Rahall	Strickland
McNulty	Rangel	Stump
Meek	Redmond	Stupak
Menendez	Reyes	Sununu
Metcalf	Riggs	Talent
Mica	Riley	Thomas
Millender-	Rivers	Thompson
McDonald	Rodriguez	Thornberry
Miller (CA)	Rogan	Thune
Miller (FL)	Rogers	Thurman
Mink	Ros-Lehtinen	Tiahrt
Moakley	Rothman	Tierney
Molinari	Roukema	Torres
Mollohan	Roybal-Allard	Towns
Moran (KS)	Rush	Traficant
Moran (VA)	Ryun	Velazquez
Murtha	Sabo	Vento
Myrick	Salmon	Walsh
Nadler	Sanders	Waters
Neal	Sandlin	Watkins
Nethercutt	Sawyer	Watt (NC)
Ney	Saxton	Watts (OK)
Northup	Scarborough	Waxman
Nussle	Schaefer, Dan	Weldon (FL)
Oberstar	Schumer	Weldon (PA)
Obey	Scott	Weller
Olver	Serrano	Wexler
Ortiz	Sessions	Weygand
Owens	Shadegg	White
Oxley	Shaw	Whitfield
Packard	Shays	Wicker
Pappas	Sherman	Wise
Parker	Shimkus	Wolf
Pascarella	Shuster	Woolsey
Pastor	Skaggs	Wynn
Paul	Skeen	Yates
Paxon	Skelton	Young (FL)
Payne	Slaughter	
Pease	Smith (MI)	

NOT VOTING—6

Gonzalez	Pallone	Stark
Hutchinson	Schiff	Young (AK)

So the bill was not passed.

A motion to reconsider the vote whereby said bill was not passed was, by unanimous consent, laid on the table.

§85.9 PROVIDING FOR THE CONSIDERATION OF H.R. 2169

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 189):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI, clause 7 of rule XXI, or section 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: on page 4, line 1, through line 6; beginning with “, of which” on page 10, line 20,

through “Fund” on line 22; on page 52, line 8, through line 15; on page 53, line 3, through page 65, line 6. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendments specified in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The amendments considered as adopted in the House and in the Committee of the Whole are as follows—

(1) page 31, line 24, strike “Staten Island-Midtown Ferry service project” and insert “St. George Ferry terminal project”; and (2) page 60, strike line 13 and all that follows through page 65, line 3, and redesignate the following section accordingly.

When said resolution was considered. After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

§85.10 TRANSPORTATION APPROPRIATIONS

The SPEAKER pro tempore, Mr. BONILLA, pursuant to House Resolution 189 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

The SPEAKER pro tempore, Mr. BONILLA, by unanimous consent, designated Mr. BEREUTER as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. GILCHREST, assumed the Chair.

When Mr. BEREUTER, Chairman, pursuant to House Resolution 189, reported the bill, as amended pursuant to said rule, back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I
OFFICE OF THE SECRETARY
SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$60,009,000, of which not to exceed \$40,000 shall be available as the Secretary may determine for allocation within the Department for official reception and representation expenses: *Provided*, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$1,000,000 in funds received in user fees: *Provided further*, That no more than \$606,000 shall be available for the Office of Acquisition and Grants Management, solely for department-wide grants management activities: *Provided further*, That none of the funds appropriated in this Act or otherwise made available may be used to maintain custody of airline tariffs that are already available for public and departmental access at no cost; to secure them against detection, alteration, or tampering; and open to inspection by the Department.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$5,574,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, and development activities, to remain available until expended, \$4,400,000.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed \$121,800,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of direct loans, \$1,500,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$15,000,000. In addition, for administrative expenses to carry out the direct loan program, \$400,000.